

NH DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE DIRECTIVE	CHAPTER <u>Enforcement Operations</u> STATEMENT NUMBER <u>5.64</u>
SUBJECT: <b>EARLY TERMINATION FROM PROBATION/PAROLE SUPERVISION</b> PROPONENT: <u>Mike McAlister, Acting Director</u> <i>Name/Title</i> <u>Field Services</u> <u>271-5652</u> <i>Office</i> <i>Phone #</i>	EFFECTIVE DATE <u>07/01/05</u> REVIEW DATE <u>04/15/06</u> SUPERCEDES PPD# <u>5.64</u> DATED <u>11/15/03</u>
ISSUING OFFICER:  _____ <i>Stephen J. Curry, Commissioner</i>	DIRECTOR'S INITIALS _____ DATE _____ APPENDIX ATTACHED: YES _____ NO _____
REFERENCE NO:      See reference section on last page of PPD.	

- I. **PURPOSE:**  
 To provide guidance for the management of adult supervision cases to maximize available time and to reward the meritorious performance of the offender.
- II. **APPLICABILITY:**  
 To all staff
- III. **POLICY:**  
 It is the policy of the Department of Corrections to make maximum use of available resources in supervising offenders through the use of early termination.
- IV. **DEFINITION:**  
 Early termination is defined as a discharge from supervision granted by the Court or Parole Board, prior to the maximum date imposed, and based on the offender's successful adjustment in the community.
- V. **PROCEDURES:**
- A. **Parolees:**
1. Parolees may be discharged prior to the maximum date imposed should they meet the criteria established under RSA 651-A: 12 (1/3 off for good behavior) or RSA 651-A: 14 (meritorious discharge).
  2. A parolee discharge request (Attachment 1) is completed and forwarded to the Executive Assistant to the Parole Board, together with any pertinent documentation, for inclusion on the Parole Board's agenda.
    - a. Care should be exercised to ensure that the request is filed under the appropriate statute (RSA 651-A: 12 or RSA 651-A: 14).
    - b. Prior to submission, the PPO's immediate supervisor will review the request.
- B. **Probationers:**
1. Probation cases shall be reviewed for early termination at the halfway point of

supervision if:

- a. All sentencing requirements have been met to include a good faith effort toward satisfying all financial obligations. The petition shall indicate that the case be continued for collection purposes only if a balance remains.
  - b. The offender has complied with all conditions of release.
  - c. No other circumstances exist that would question early termination consideration.
  - d. The offender's adjustment under supervision has been satisfactory.
2. If probationers have reached the halfway point of supervision and have met the above criteria and are not being considered for early termination, a written comment should be placed in the chronos as to the reasons early termination is not recommended.
  3. An early termination petition is prepared and, upon concurrence of the supervisor, is submitted to the court, prosecutor, and defense attorney for further action (attachment 2).
- C. GENERAL:
1. Upon granting early termination, the proper closing documents are executed.
  2. The closed case is then processed as an expired case.
  3. If termination is denied, the denial and reasons for it shall be noted in the chronos.
  4. If termination is denied, a review of the case is made in 6-month cycles at the time of reclassification for further consideration.

#### REFERENCES:

Standards for the Administration of Correctional Agencies  
Second Edition. Standards

Standards for Adult Correctional Institutions  
Fourth Edition. Standards

Standards for Adult Community Residential Services  
Fourth Edition. Standards

Standards for Adult Probation and Parole Field Services  
Third Edition. Standards

Other

**Refer to PPD 5.06 & References (reviews conducted)**

McALISTER/pf

Attachments

STATE OF NEW HAMPSHIRE  
DEPARTMENT OF CORRECTIONS  
DIVISION OF FIELD SERVICES  
PAROLEE DISCHARGE REQUEST

\_\_\_\_\_  
DATE

**TO:** EXECUTIVE ASSISTANT, NEW HAMPSHIRE BOARD OF PAROLE

**FROM:** \_\_\_\_\_

PROBATION/PAROLE OFFICER

REGION

OFFICE

**TYPE OF REQUEST**

- ☐ GOOD CONDUCT (631-A:14)
- ☐ EARLY DISCHARGE
- ☐ MAXIMUM EXPIRATION OF SENTENCE

**REGARDING** \_\_\_\_\_

(LAST)  
(FIRST)  
(MI)

**DATE PAROLED** \_\_\_\_\_

**EARLY DISCHARGE DATE** \_\_\_\_\_

REGISTRATION  
NUMBER

LENGTH OF TIME UNDER SUPERVISION

**REPORTING ARRANGEMENTS**

**EMPLOYMENT RECORD**

**DIFFICULTIES (DATE, PLACE,  
DISPOSITION)**

**FAMILY STATUS**

**PROBATION/PAROLE OFFICER RECOMMENDATION:**

***NOTE TO THE PPO: Please be sure to include a copy of the parole summary and parole certificate.***

County, SS

Date

The State of New Hampshire

Docket #

V

PETITION FOR EARLY TERMINATION OF PROBATION

Now comes \_\_\_\_\_, Probation/Parole Officer WITH THE New Hampshire Department of Corrections and says:

1. THAT the defendant was sentenced on \_\_\_\_\_ by Judge \_\_\_\_\_ for the offense of \_\_\_\_\_ as follows:
2. THAT the defendant has been on probation for \_\_\_\_\_ months of a \_\_\_\_\_ month sentence.
3. THAT since the conviction, the defendant has not been charged with nor convicted of any further offenses.
4. THAT fines and supervision fees are paid in full.
5. THAT there are no further services which the Department of Corrections can offer this probationer and any continuation of supervision would be punitive and not rehabilitative in nature.

Therefore, it is respectfully prayed that, pursuant to the aforementioned information:

- A. probation in this case be terminated; and
- B. the court grant such other relief as it may deem just.

Respectfully submitted,

\_\_\_\_\_, PPO  
New Hampshire Department of Corrections  
Division of Field Services

CERTIFICATION

I certify that a copy of this motion has been mailed to the \_\_\_\_\_ County Attorney and....

\_\_\_\_\_  
Date

\_\_\_\_\_  
Probation/Parole Officer